

EXHIBIT D

From: [Kathleen Hartnett](#)
To: [Reed Forbush](#); [Lauter, Judd](#); [Maxwell Pritt](#); [Holden Benon](#); [Christopher Young](#); [Aaron Cera](#); [Cadio Zirpoli](#); [Joe Saveri](#); [Margaux Poueymirou](#); [Ashleigh Jensen](#); [Rya Fishman](#); [Matthew Butterick](#); [Nada Djordjevic](#); [James Ulwick](#); [Bryan L. Clobes](#); [Mohammed Rathur](#); [Amy Keller](#); [David Straite](#); [Ruby Ponce](#); [Alexander Sweatman](#); [Heaven Haile](#); [Llama BSF](#); [Josh Schiller](#); [David Boies](#); [Jesse Panuccio](#)
Cc: [Ghazarian, Colette A](#); [Poppell, Cole A](#); [Dunning, Angela L](#); [Ghajar, Bobby A](#); [Alvarez, Jessica](#); [Weinstein, Mark](#); [Stameshkin, Liz](#); [z/Meta-Kadrey](#)
Subject: RE: Kadrey v. Meta - Deposition limit letter/other scheduling issues
Date: Thursday, October 10, 2024 3:44:30 PM

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Thank you, Reed. We appreciate the confirmation and will get back to you on (4).

Thanks,
Kathleen

From: Reed Forbush <rforbush@BSFLLP.com>
Sent: Thursday, October 10, 2024 2:38 PM
To: Hartnett, Kathleen <khartnett@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>
Cc: Ghazarian, Colette A <cghazarian@cooley.com>; Poppell, Cole A <CPoppell@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Deposition limit letter/other scheduling issues

[External]

Kathleen - Thank you for your email.

1. Separate emails exchanged today confirm the parties are at an impasse on the deposition limits in your first point. We agree to and will go forward with your proposed briefing schedule for tomorrow (Friday).

2. As to your second point, Plaintiffs agree to the same briefing schedule for Monday with respect to restrictions on Mr. Zuckerberg's deposition.
3. We are available for a 9 am or 10 am pacific start time on Wednesday 10/16 to meet and confer on the two letters.
4. David Simons from my firm sent a proposed case schedule to you just before noon this morning. We will look out for your response.

Best regards,
Reed
646-339-8787

Reed D. Forbush

Counsel

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From: Hartnett, Kathleen <khartnett@cooley.com>

Sent: Thursday, October 10, 2024 10:50 AM

To: Lauter, Judd <jlauter@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>

Cc: Ghazarian, Colette A <cghazarian@cooley.com>; Poppell, Cole A <CPoppell@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Deposition limit letter/other scheduling issues

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Counsel,

We write to follow up on several scheduling issues.

First, we have not received a response to our October 8 email below regarding the joint letter on deposition limits due to the Court tomorrow, October 11. We asked for Plaintiff's proposal to see if the parties might reach an agreement. Please let us know if Plaintiffs are amenable to a discussion or other exchange of proposals in advance of tomorrow.

Relatedly, we also proposed the following schedule for exchange of our respective portions of the letter:

- Plaintiffs send their portion to Meta at 10am
- Meta provides its portion by 6pm
- Plaintiffs provide further edits along with any supporting exhibits and declarations by 8pm
- Meta provides further revisions, if any, or approval to file by 9pm
- On or before 10:30pm, the parties make best efforts to finalize and file

Please confirm if you agree.

Second, following yesterday's meet and confer regarding Mr. Zuckerberg's deposition, the parties appear to be at an impasse. We have provided Mr. Zuckerberg's date of availability, October 25, and Meta intends and expects to produce his custodial documents in advance of that date. We understand that Plaintiffs are declining to take his deposition on that date, and will not limit the duration of his deposition. Accordingly, we will be moving for a protective order.

We had asked to file the joint motion today, as we want to bring this to the Court's attention immediately. Based on your representations during our call about your availability this week, and in order to accommodate the schedule and circumstances of certain of Plaintiffs' counsel, Meta agrees to file our joint dispute letter regarding Mr. Zuckerberg's deposition on Monday, October 14. Meta will provide its portion of a joint discovery letter by 10am on Monday, October 14, and propose that the parties adopt the same briefing schedule to what we've proposed above (i.e., with the parties making best efforts to finalize and file by 10:30 pm). We are mindful that both Judge Hixson and Judge Chhabria have urged the parties to address any discovery disputes quickly and, given the October 25 availability, we cannot wait longer than Monday to file. Please confirm you agree to this schedule.

Third, we are in the process of reviewing the two letters sent by Josh Stein yesterday morning. Given the length of the letters and the numerous issues raised, we will provide substantive responses early next week and meet and are prepared to confer shortly thereafter. Please let us

know your availability for a call next Wednesday or Thursday.

Fourth, as you know, the parties are required to meet and confer regarding the scheduling stipulation. We will share our response to Plaintiffs' proposal shortly under separate cover.

Thanks,
Kathleen

Kathleen R. Hartnett

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Pronouns: she, her, hers

From: Lauter, Judd <jlauter@cooley.com>

Sent: Tuesday, October 8, 2024 2:46 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>

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Subject: Kadrey v. Meta - Deposition limit letter

Counsel,

As you know, the parties are required to submit a joint letter setting forth our respective deposition limit proposals on Friday. As Plaintiffs are the ones who sought additional

time and discovery, we would like to understand Plaintiffs' proposal to see if the parties might reach agreement. Please let us know.

As to the timing of the parties' exchange of their respective portions of the joint letter, we suggest that the parties' adopt the same schedule used for Plaintiffs' last motion (i.e. Plaintiffs send their portion to Defendant on 10am on 10/11, Defendant provides its portion by 6pm; Plaintiff provides further edits along with any supporting exhibits and declarations by 8pm; Defendant provides further revisions, if any, or approval to file by 9pm; and on or before 10:30pm, and the parties make best efforts to finalize and file). Please confirm.

Regards,
Judd

Judd Lauter

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